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7/17/02
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Rozenberg, et al.
Serial No. : 10/049,871
Filed : February 12, 2002
For : Targeted Artificial Gene Delivery
Group : Unassigned
Examiner : Unassigned

Commissioner of Patents and Trademarks
Washington, D.C. 20231

#3
RECEIPT ACCOUNTING
DIVISION
2002 JUL 16 PM 3:07

PETITION UNDER 37 C.F.R. 1.42 AND 37 C.F.R. 1.47

SIR:

This is a Petition Under 37 C.F.R. 1.42 and 37 C.F.R. 1.47 to accept the declaration and power of attorney of the above-identified application without the signature of Viacheslav Medvedkin.

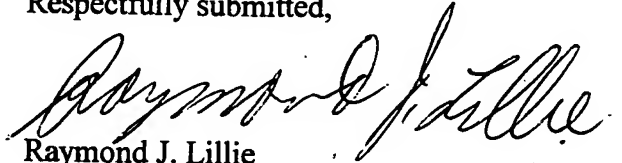
The above-identified application was filed unexecuted on February 12, 2002 in the names of Yanina Rozenberg, Viacheslav Medvedkin, and W. French Anderson.

On May 21, 2002, a declaration and power of attorney form and an assignment to the University of Southern California were sent to W. French Anderson, with instructions for Dr. Anderson and his co-inventors to execute the declaration and power of attorney form and the assignment.

After Dr. Anderson received the declaration and power of attorney form and the assignment, the University of Southern California informed Applicants' attorney that Viacheslav Medvedkin died early in 2002, and that Dr. Medvedkin's body was returned to Russia for burial. The University of Southern California also informed Applicants' attorneys that it could not locate any of Dr. Medvedkin's family or the executor of his estate.

In light of the above facts, it is respectfully requested that the declaration and power of attorney of the above-identified application be accepted with the signatures of Yanina Rozenberg and W. French Anderson, and without the signature of Viacheslav Medvedkin, who is deceased, and for whom no legal representative can be located.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Raymond J. Lillie".

Raymond J. Lillie

Registration No. 31,778

#147016 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/049,871	FIRST NAMED APPLICANT Yanina Rozenberg	ATTY. DOCKET NO. 271010-473
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INTERNATIONAL APPLICATION NO. PCT/US00/22619

I.A. FILING DATE 08/18/2000	PRIORITY DATE
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27162

 CARELLA, BYRNE, BAIN, GILFILLAN, CECCHI,
 STEWART & OLSTEIN
 6 BECKER FARM ROAD
 ROSELAND, NJ 07068

CONFIRMATION NO. 2364

371 FORMALITIES LETTER



OC00000008097687

Date Mailed: 05/14/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

DATE RECEIVED:	5/20/02
DATES ENTERED:	US-Messg. Pct
1)	
2)	6/14/02 - 1mo. Reminders
3)	7/14/02 - 8mo. Rem. Note
4)	
5)	
6)	
DOCKETED BY:	BM
DATE:	7/20/02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

DARRELL C COTTMAN

Telephone: (703) 305-3693

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/049,871	PCT/US00/22619	271010-473

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Examining Operations



27162

PATENT TRADEMARK OFFICE

Applicant(s): Rozenberg, et al.

Serial No: 10/049,871

Art Unit: Unassigned

Filed: February 12, 2002

Examiner: Unassigned

Title: Targeted Artificial Gene Delivery

Docket No.: 271010-473

Customer No.: 27162

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

SIR:

Enclosed please find the following:

1. Declaration and Power of Attorney executed by Yanina Rozenberg and W. French Anderson;
2. Assignment Cover Form;
3. Assignment (executed);
4. Petition Under 37 CFR 1.42 and 1.47;
5. Notification of Missing Requirements Under 35 U.S.C. 371;
6. Check No. 7962 in the amount of \$300.00; and
7. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

FIRST CLASS CERTIFICATE

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

Commissioner for Patents
Washington, D.C. 20231

Raymond J. Lillie
Raymond J. Lillie, Esq.

7/11/02
Date

Respectfully submitted,

Raymond J. Lillie
Raymond J. Lillie, Esq.
Reg. No. 31,778

CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN
Six Becker Farm Road
Roseland, New Jersey 07068
T: (973) 994-1700
F: (973) 994-1744

DECLARATION AND POWER OF ATTORNEY



27162

PATENT TRADEMARK OFFICE

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TARGETED ARTIFICIAL GENE DELIVERY

the specification of which ☐ is attached hereto or ☒ was filed on 12 February 2002 as Application Serial No. 10/049,871 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations Section 1.56(a).

I hereby claim foreign priority benefits under Title 35 United States Code Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s):

<u>PCT/US00/22619</u> (Number)	<u>WO</u> (Country)	<u>18 August 2000</u> (Day/Month/Year Filed)	Priority Claimed Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
I hereby claim the benefit under Title 35 United States Code Section(s) 119 and/or 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code Section 112 I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:			
<u>09/377,153</u> (Application Serial No.)	<u>19 August 1999</u> (Filing Date)	<u>pending</u> (Status – pending provisional, patented, pending, abandoned)	
(Application Serial No.)	(Filing Date)	(Status – pending provisional, patented, pending, abandoned)	

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: John N. Bain (Reg. No. 18,651); John G. Gilfillan, III (Reg. No. 22,746); Elliot M. Olstein (Reg. No. 24,025); Raymond J. Lillie (Reg. No. 31,778); William Squire (Reg. No. 25,378); Alan J. Grant (Reg. No. 33,389); Francis C. Hand (Reg. No. 22,280); Glennon G. Troublefield (Reg. No. 39,050); and Raymond E. Stauffer (Reg. No. 47,109). Address correspondence and telephone calls to Raymond J. Lillie, Esq., c/o Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 6 Becker Farm Road, Roseland, NJ 07068 - (973) 994-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name first inventor: Yanina Rozenberg

Inventor's signature

Yanina Rozenberg

Date

6-19-02

Residence

Solana Beach, California

Citizenship

United States of America

Post Office Address

190 Del Mar Shore Terrace Number 3, Solana Beach, California 92075

Page

Declaration and Power of Attorney

USSN: 10/049,871

Full name of second inventor: Viacheslav Medvedkin

Inventor's signature

Date

Residence

Los Angeles, California

Citizenship

Russia

Post Office Address

160 Virgil, Apartment 110, Los Angeles, California 90004

Full name of third inventor:

W. French Anderson

Inventor's signature

W. French Anderson

Date

6/24/02

Residence

San Marino, California

Citizenship

United States of America

Post Office Address

960 Oxford Road, San Marino, California 91108

#141663 v1

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

Carrella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein P.A.
ATTORNEY BUSINESS ACCOUNT REIMBURSEMENT ACCOUNT

6 BECKER FARM ROAD, ROSELAND, NEW JERSEY 07068

FIRST UNION NATIONAL BANK
EXECUTIVE OFFICE
NEWARK, N.J. 07102

Check No: 7962

55-2212

DATE: 07-11-2002

CHECK AMOUNT

\$ 300.00

THREE HUNDRED AND 00/100 U.S. DOLLARS

PAY
TO THE
ORDER OF
HON. COMMISSIONER OF PATENTS

M. J. [Signature]

VOID AFTER 180 DAYS

⑈ 7962 ⑈ ⑈ 021200025⑈ 2011310202718 ⑈

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			999	\$			
			999	\$			
			999	\$			